



**REMARKS/ARGUMENTS**

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-36 are presently pending in this application, Claims 10, 16, 21, 23 and 25 having been amended and Claims 32-36 having been newly added by the present amendment.

In the outstanding Office Action, the drawings were objected to because of informalities; and Claim 23 was rejected under 37 C.F.R. §1.75(c), as being of improper dependent form. However, Claims 1-22 and 24-31 were indicated as allowed.

First, Applicants acknowledge with appreciation the indication that Claims 1-22 and 24-31 were allowed. Accordingly, Claims 10, 16, 21, 23 and 25 have been amended solely for formalities, and Claims 32-36 have been newly added in accordance with these claim amendments. Therefore, Claims 1-36 are believed to be allowable.

In response to the objection to the drawing, submitted herewith is a separate LETTER REQUESTING APPROVAL FOR DRAWING CHANGES, submitting for approval changes to Figure 2. Specifically, Figure 2 has been amended to add a legend "Prior Art." With regard to Figure 3, Applicants respectfully submit that Figure 3 is presented merely as a background, as the specification clearly states that "Figure 3 is a schematic view ... of the EC element disclosed in Japanese Patent Application Number 2002-251856"<sup>1</sup> and that "we have suggested an EC element ... as Japanese Patent Application Number 2002-251856, which has not yet been published."<sup>2</sup> Therefore, Applicants respectfully request that the objection regarding Figure 3 be withdrawn.

---

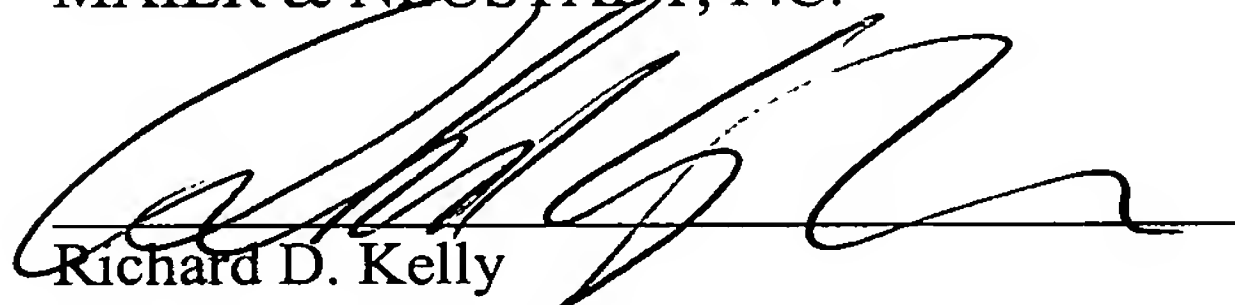
<sup>1</sup> Specification, page 28, lines 21- 23.

<sup>2</sup> Id., page 3, lines 15-18.

In light of the prior indication of allowable subject matter and in view of the amendments presented above, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. If, however, the Examiner disagrees with any of the amendments presented above, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive a mutually agreeable solution and expedite the prosecution of this application. Applicants respectfully request an early and favorable action.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Richard D. Kelly  
Attorney of Record  
Registration No. 27,757

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Akihiro Yamazaki  
Registration No. 46,155

RDK/AY/mda  
I:\ATTY\AKY\24S\246507\AME QUAYLE.DOC

**IN THE DRAWINGS**

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes Fig. 2, replaces the original sheet including Fig. 2.

Attachment: Replacement Sheet